

REMARKS/ARGUMENTS

This Amendment is being filed in response to the Final Office Action dated November 9, 2010. Reconsideration and allowance of the application in view of the amendments made above and the remarks to follow are respectfully requested.

Claims 1-2 and 5-14 are pending in the Application. Claims 1, 9, 10, 11, 12, and 13 are independent claims.

In the Final Office Action, claims 1, 2 and 5-12 are rejected under 35 U.S.C. §102(e) over U.S. Patent No. 6,938,162 to Nagai et al. ("Nagai"). Claims 13 and 14 are rejected under 35 U.S.C. §103(a) over Nagai in view of U.S. Patent No. 6,236,727 to Ciacelli ("Ciacelli"). These rejections are respectfully traversed. It is respectfully submitted that the rejected claims are allowable for at least the following reasons.

The independent claims are amended to clarify their recitations. In particular it is clarified that the content protection information comprises a key block and a pointer to a location of a copy of the key block stored in said initial zone.

In FIG. 6A, Nagai describes a descramble key 408a in the sector data 401 and in FIG. 6B, a key index 408, which indexes a descramble key stored in the key management information area 107. However, it is respectfully submitted that there is nothing in Nagai that teaches, discloses, or suggests storing in the data zone a key block and a pointer to a location of a copy of the key block.

The present application describes the importance for legacy players to have the "content protection information for protection of said content is stored in said side channel

in said data zone." (E.g., see, present application, page 2, lines 23-31.) As was described in the response to the previous Office Action, FIGs. 4C and 4D of the present application illustrate the layout of the record carrier 1 that includes the data zone 7, the inner drive area 3, and the lead-in area 5. The inner drive area 3 includes the initial zone 25 storing a copy of the key block 24. The data zone 7 stores the content protection information including the key block 26 and the reference or pointer 28 to the key block 24. Claim 1 for example recites "a data zone including content protection information" and "the content protection information comprises a key block and a pointer to a location of a copy of the key block stored in said initial zone, the key block used for protection of said content is stored in said side channel in said data zone".

It is respectfully submitted that claim 1 is not anticipated or made obvious by the teachings of Nagai. For example, Nagai does not disclose or suggest, amongst other patentable elements, (illustrative emphasis added) "the content protection information comprises a key block and a pointer to a location of a copy of the key block stored in said initial zone, the key block used for protection of said content is stored in said side channel in said data zone" as recited in claim 1, and as similarly recited in each of claims 9-13.

Ciacelli is introduced only to introduce a non-transitory computer program, and as such does not remedy the above discussed deficiencies of Nagai.

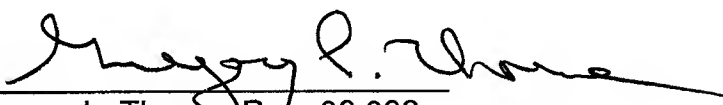
Based on the foregoing, the Applicants respectfully submit that the independent claims are patentable and notice to this effect is earnestly solicited. The dependent claims respectively depend from one of the independent claims and accordingly are allowable for

at least this reason as well as for the separately patentable elements contained in each of the claims. Accordingly, separate consideration of each of the dependent claims is respectfully requested.

In addition, Applicants deny any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicants reserve the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

Applicants have made a diligent and sincere effort to place this application in
condition for immediate allowance and notice to this effect is earnestly solicited.

Respectfully submitted,

By 
Gregory L. Thorne, Reg. 39,398
Attorney for Applicant(s)
January 10, 2011

THORNE & HALAJIAN, LLP

111 West Main Street
Bay Shore, NY 11706
Tel: (631) 665-5139
Fax: (631) 665-5101

Please direct all inquiries and correspondence to:

Michael E. Belk, Reg. 33,357
Philips Intellectual Property & Standards
P.O. Box 3001
Briarcliff Manor, NY 10510-8001
(914) 333-9643